

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SCOTT LOUIS PANETTI,	§	
<i>Petitioner,</i>	§	
	§	
v.	§	
	§	CIV. NO. 1:04-cv-00042-RP
BOBBY LUMPKIN, Director,	§	(Death Penalty Case)
Texas Department of Criminal	§	
Justice, Correctional Institutions	§	
Division,	§	
<i>Respondent.</i>	§	

**RESPONDENT'S UNOPPOSED MOTION
TO SUBSTITUTE COUNSEL**

This is a federal habeas case. Petitioner, Scott Panetti, is a Texas state inmate under a sentence of death. Respondent, Director Bobby Lumpkin, is Petitioner's custodian. This case has been reassigned to the undersigned assistant attorney general who will now be representing Respondent in this proceeding. Therefore, Respondent moves to permit Ali Nasser to withdraw as counsel of record for Respondent and substitute the undersigned in his place. This substitution request is not designed or intended to harass Petitioner or to delay this proceeding. Any future documents should be sent to the same address (if physically delivered) or to the undersigned's email address (if electronic).

CONCLUSION

Respondent respectfully requests that the Court allow Ali Nasser to withdraw as counsel and substitute the undersigned as counsel of record.

KEN PAXTON
Attorney General of Texas

BRENT WEBSTER
First Assistant Attorney General

JOSH RENO
Deputy Attorney General
For Criminal Justice

EDWARD L. MARSHALL
Chief, Criminal Appeals Division

s/ Jay Clendenin
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Counsel for Respondent

CERTIFICATE OF CONFERENCE

I certify that I conferred through electronic mail with Petitioner's counsel, Gregory Wiercioch, about this motion, and he stated Petitioner was unopposed to it.

s/ Jay Clendenin
JAY CLENDENIN
Assistant Attorney General

CERTIFICATE OF SERVICE

I do hereby certify that on January 11, 2022, I electronically filed the foregoing document with the Clerk of the Court for the U.S. District Court, Western District of Texas, using the electronic case-filing system of the Court. The electronic case-filing system sent a "Notice of Electronic Filing" (NEF) to the following counsel of record, who consented in writing to accept the NEF as service of this document by electronic means:

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s/ Jay Clendenin
JAY CLENDENIN
Assistant Attorney General